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COURT OF CRIMINAL APPEALS
AUSTIN, TEXAS
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DEANA WILLIAMSON
CLERK

No. PD-_____

TO THE COURT OF CRIMINAL APPEALS
OF THE STATE OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
12/29/2020
DEANA WILLIAMSON, CLERK

BRIAN RAY MIDDLETON,

Appellant

v.

THE STATE OF TEXAS,

Appellee

Appeal from Liberty County
Trial Causes CR31225 thru CR31227 & CR34574 & CR34752
Appeal Nos. 09-20-00014-CR thru 09-20-00018-CR

* * * * *

**STATE'S MOTION TO EXTEND TIME FOR
FILING ITS PETITION FOR DISCRETIONARY REVIEW**

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TO THE HONORABLE COURT OF CRIMINAL APPEALS:

The State Prosecuting Attorney respectfully submits its motion to extend the time for filing the State's petition for discretionary review. Under Rule of Appellate Procedure 10.5(b) & 68.2(c), the State moves to extend the time for filing its petition until January 23, 2021, thirty days from its original due date of December 25, 2020. The State has made no previous request to extend time to file a petition in this cause but asks for additional time for just cause, namely, undersigned counsel has not yet obtained the full appellate record, in part due to delay in receiving part of the record

through the mail, the Thanksgiving holidays, and delays in coordinating with Liberty County while determining whether a petition is viable. Therefore, the State prays that its motion to extend the time for filing its petition until January 23, 2021, be granted.

Respectfully submitted,

/s/ Emily Johnson-Liu

Assistant State Prosecuting Attorney

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CERTIFICATE OF SERVICE

Today, December 21, 2020, a copy of the foregoing State's Motion to Extend Time was served *via* certified electronic service provider or email to:

Steve Taylor
Assistant District Attorney
Liberty County DA's Office
Steve.taylor@co.liberty.tx.us

Thomas Abbate, Jr.
Counsel for Brian Middleton
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/s/ Emily Johnson-Liu

Assistant State Prosecuting Attorney

Automated Certificate of eService

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Stacey Soule on behalf of Emily Johnson-Liu
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Envelope ID: 49137552
Status as of 12/29/2020 9:09 AM CST

Case Contacts

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